

In the United States Court of Federal Claims

No. 18-285C

(Filed: October 18, 2018)

SHAWN COX,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER

On February 20, 2018, Plaintiff filed his complaint in this Court, including a petition for writ of mandamus. Plaintiff, a citizen of the Commonwealth of The Bahamas, alleged that Defendant illegally detained and incarcerated Plaintiff against his will, and that his detention and incarceration was a violation of international laws and agreements between the United States and the Bahamas. Compl. 2. Plaintiff contends that Defendant violated his Constitutional rights by “apprehend[ding] and kidnapping” him within the territorial waters of the Bahamas, by failing to read and advise him of his Miranda rights at the time of his apprehension, by failing to notify the Bahamian Government of his apprehension, and by depriving Plaintiff of his rights as a Bahamian citizen by the boarding, search, seizure, and destruction of his vessel within the territorial waters of the Bahamas. Id. at 3-4. Plaintiff’s sole requested relief was “his immediate release from confinement by the United States” Id. at 5.

On August 21, 2018, Plaintiff filed a “notice of withdrawal of writ of mandamus, in support of pending treaty transfer to the Bahamas.” Plaintiff states that he is “‘Competent’ and capable of understanding his position in withdrawing his pending petition ‘Writ of Mandamus’, and all or any proceedings in this U.S. Court of Federal Claims.” Pl.’s Not. 1. Attached to Plaintiff’s notice is a letter from the Department of Justice’s Office of Enforcement Operations, International Prisoner Transfer Unit to the Consul General of the Commonwealth of The Bahamas, indicating that the United States has approved Plaintiff’s request to be transferred to The Bahamas to serve out his prison sentence.

Pursuant to Plaintiff's request, the Clerk of Court is directed to dismiss this action.


MARY ELLEN COSTER WILLIAMS
Senior Judge